



Corres. and Mail
BOX AF

#10/B
PB 12.11.2872
Response under 37 C.F.R. 1.116
Expedited Procedure
Examining Group (2872)
AF
2872
N/E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dewald

Art Unit: 2872

Serial No.: 09/750,640

Examiner: Robinson, Mark A.

Filed: 28 December 2000

Docket No. TI-30205

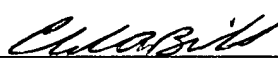
For: ROD INTEGRATOR (as amended)

AMENDMENT UNDER 37 C.F.R. 1.116

25 August 2002

Assistant Commissioner for Patents

Washington, DC 20231

| | |
|---|-----------|
| MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(A) | |
| I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below. | |
|  | 8-26-2002 |
| Charles A. Brill | Date |

Dear Sir:

In response to the Examiner's Action mailed 26 June 2002, applicant responds as follows:

In the specification:

Please replace the title on page 1, line 1 with the following rewritten title:

--ROD INTEGRATOR--

REMARKS

This application was originally filed on December 28, 2000 with thirty claims, two of which were written in independent form. Claims 8, 9, 14, and 21-30 have been withdrawn as directed to a non-elected invention. No claims have been allowed.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,335,158 to Kaplan et al. ("Kaplan"). The applicant respectfully disagrees and submits the Examiner has failed to present a *prima facie* case of anticipation. Section 2131 of the Manual of Patent Examiner's Procedure provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros.*

